

Meeting Minutes

Zoning Board of Adjustment

Tuesday, October 7, 2014
Ankeny City Hall – City Council Chambers
410 W. First Street, Ankeny, Iowa

CALL TO ORDER

The October 7, 2014 regular meeting of the Zoning Board of Adjustment was called to order at 5:00 pm by Chairman M.Ott. Members present: C.Dissell, B.Friest, N.Sungren, M.Ott, K.Tomlinson. Staff present: E.Bodeker, E.Carstens, T.Kuhn.

AMENDMENTS TO THE AGENDA

There were no amendments.

MINUTES OF THE SEPTEMBER 3, 2014 MEETING

Motion by B.Friest to approve the September 3, 2014 meeting minutes as submitted. Second by N.Sungren. Motion carried 5 – 0.

COMMUNICATIONS / CORRESPONDENCE

There were no communications.

BUSINESS ITEMS

#14-33 Classic Builders Inc.
2101 NW 20th Street
Lot 1, Centennial Pointe West Plat 2
RE: Rear Yard Setback

Chairman M.Ott opened the public hearing.

Seth Moulton, 2874 NW 86th Place, representing Classic Builders Inc. stated that they would like to add an attached pergola to the home at 2101 NW 20th Street. He explained that the home is on a corner lot with two 30 foot setbacks along NW 20th Street and NW Abilene Road and a rear yard setback of 35 feet to the south. He said understands that when the pergola is attached to the deck structure, it must meet the rear yard setback requirement. He added that it is costly to build it as a free standing structure.

Staff Report: E.Bodeker presented an aerial map identifying the location of the property and stated that the request is for a 13 foot variance to section 192.04 (3) (E) to allow a 22 foot rear yard setback at 2101 NW 20th Street. The parcel is part of the Centennial Pointe West development, located west of Centennial High School and north of NW 18th Street, zoned R-2. Currently there is a building permit for the construction of a single family dwelling and a 144 square foot deck at this address. The applicant is proposing to add on to the current permitted deck and add a 29' x 12' pergola to cover it. The proposed covered deck encroaches 13 feet into the rear yard setback. The Zoning Code allows uncovered decks to encroach into the rear yard setback 12 feet, but because this deck is covered it must comply with the 35 foot setback requirement. The request is for a 13 foot variance to the 35 foot rear yard setback to allow a 22 foot rear yard setback for the 29'x12' covered deck. Staff's position is to grant the requested variance to allow the 22 foot rear yard setback subject to the applicant acquiring all necessary building permits.

C.Dissell said his understanding if that if the pergola was not attached to the house, it would be allowed. Staff concurred.

Matt Ott asked what the zoning is for the property to the south and east of this lot. E.Bodeker responded that it is zoned commercial.

Motion by K.Tomlinson to close the public hearing and receive and file documents. Second by C.Dissell. All voted aye. Motion carried 5 – 0.

B.Friest asked if this is a walkout lot. Mr.Moulton responded that it is a standard flat lot, the deck is on grade.

M.Ott commented that he has no issues with the request, the lot is irregularly shaped, limiting the depth of the rear yard.

C.Dissell said the request aligns with variances that have previously been granted.

Board Action on Filing #14-33 for property at 2101 NE 20th Street

Motion by K.Tomlinson to grant the 13 foot variance to Section 192.04 (3) (E) to allow a 22 foot rear yard setback at 2101 NW 20th Street, subject to the applicant acquiring all necessary building permits. The Board's position is based on a determination that the resulting structure does not impair adequate supply of air and light, does not increase the public danger of fire, or diminish property values and that this request is in harmony with the intended spirit and purpose of the Ankeny Municipal Code. Second by M.Ott. Motion carried 5 – 0

REPORTS

Renewed Special Use Permits

#13-10 3215 SE Corporate Woods Drive / Haunted Barn

#08-23 Buffalo Wild Wings Grill & Bar – 1690 SE Delaware Avenue

E.Carstens reported that the Special Use Permit renewals for the Outdoor Service Area and for the Seasonal Use were approved administratively following staff review and no report of complaints from police, fire and code enforcement.

There being no further business, the meeting adjourned at 5:15 pm.

Submitted by, Trish Kuhn,

Recording Secretary,
Zoning Board of Adjustment